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Twenty-first session

SUMMARY RECORD OF THE 537th MEETING

Held at the Palais des Nations, Geneva,
on Thursday, 20 May 1999, at 10 a.m.

Chairperson: Mrs. MBOI

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The meeting was called to order at 10 a.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 6) (continued)

Initial report of Saint Kitts and Nevis (CRC/C/3/Add.51; CRC/C/A/SKN.1; CRC/C/Q/SKN.1 (List of issues))

1. At the invitation of the Chairperson, Mr. Condor and Ms. Liburd (Saint Kitts and Nevis) took places at the Committee table.

2. Mr. CONDOR (Saint Kitts and Nevis) said that there had been negative population growth in his country during 10 of the 25 years between 1970 and 1995, while the crude birth rate had fallen faster than the crude death rate between 1981 and 1993. Thirty-six per cent of the population were under 15 and 10 per cent between 15 and 19 years of age. About one third of the annual budget was spent on social investment.

3. A good education system from primary through to tertiary level, with 100 per cent placement in secondary schooling, resulted in a high literacy rate. Government policy encouraged teenage mothers to return to school, yet many opted for evening institute classes. Special educational provision was made for the physically and mentally disadvantaged. Nevertheless, concerns and challenges included boys' lower reading ability and higher drop-out rates in primary schools, teenage pregnancy, the small number of male primary school teachers and low enrolment in science and mathematics classes and technical and vocational education. Measures had been taken to deal with truancy. All school-age children received free medical and dental care, after being given a full physical examination on entering primary school. In some schools, children were given free lunches to help alleviate poverty.

4. In the health care sector, priority was accorded to ensuring free access to medical services for all, improving health centres, promoting health education in relation to AIDS, drug abuse, mental health, prevalent diseases and disease prevention, and providing free clinical treatment for several ailments.

5. Legal provision had been made for children to take the name of fathers who acknowledged them or had been ordered to do so by the courts. Magistrates' courts were free to determine maintenance and they heard paternity disputes in camera. The courts dealt severely with sexual offences against minors and were empowered under the Juvenile Act to issue protection orders to safeguard children from abuse. Nevertheless, there was evidence that much abuse went unreported. Juvenile delinquents were held in detention or rehabilitation centres either under a court order or with the voluntary agreement of parents or guardians.

6. Full-time compulsory education left little opportunity for the exploitation of child labour. Despite limited financial and economic resources, all social and economic policies were geared to putting a human face on development.

7. Within the juvenile justice system, the right to privacy was respected and sentencing options had been widened. Adequate alternative care for children who had to be separated from their families on account of abuse or neglect was available, although the fundamental principle was that in normal circumstances the best place for a child to be raised was in his or her own home. Even when children had to be removed from an unsafe home or unfit parent, they were encouraged to remain in contact with their natural family. The foster care system and the single residential home operated in conformity with the Convention. His Government was totally committed to implementing the rights of the child.

8. The CHAIRPERSON, after expressing regret that Saint Kitts and Nevis had not replied in writing to the list of issues, invited the delegation to give short, concise answers to questions 1 to 6.

9. Ms. LIBURD (Saint Kitts and Nevis) said that written replies would be supplied as soon as possible. The Government was reviewing all laws on children and the family with the aim of harmonizing them with the Convention. An effort was being made to ensure that legislation was fully backed by administrative and operational mechanisms to implement the spirit and letter of the Convention. They included the Probation and Child Welfare Board whose 12 members were drawn from the public and private sectors of both islands, and a child-care agency which executed the day-to-day operations of the Board. The Government provided full funding for all the activities of the Board which was also responsible for coordinating and monitoring all children's rights issues. The Government encouraged the few non-governmental organizations (NGOs) present on the islands to participate in that process.

10. Children whose rights were violated had permanent access to the relevant services, including the police and social welfare institutions, so a complaints mechanism was not an immediate priority.

11. Compliance with the Convention's requirements was hampered by the limited capacity of institutional centres and the lack of a central registry for statistics, but a database office was being set up. Although legislation provided for a national response to child abuse, some agencies failed to pass on information. A national task force had been established to draft a policy of inclusion for children with disabilities. Although overall statistics were kept on children in conflict with the law and in institutional care, no breakdown of the figures was available. The absence of disaggregated data had not, however, prevented the formulation of policies and programmes to implement the Convention. Saint Kitts and Nevis was engaged in an ongoing process of community education to heighten awareness of the Convention. Since it had been recognized that training was one of the main ingredients in the effective delivery of child care, in-service programmes and secondment abroad were arranged with a view to upgrading professional skills.

12. The CHAIRPERSON invited the members of the Committee to make comments and raise questions.

13. Mrs. KARP said that, since the Probation and Child Welfare Board was the focal point for securing the rights of the child, she wished to know how long the Board had been in existence and what its achievements were to date. Why

had the Board, which was mainly a welfare service, been given chief responsibility for implementing children's rights? What was the overall approach to and policy for disseminating the Convention's message about participation and the notion that a child was a person with inalienable rights? Since the Board was an operational service provider, how could it monitor its own activities? Monitoring had to be conducted by an external body. Had the feasibility of setting up such a body been discussed? Inasmuch as responsibility for children's rights lay with the Ministry for Trade, Industry, CARICOM Affairs, Youth, Sports and Community Affairs, she wondered how a ministry with such a wide remit could protect the best interests of the child, when there were bound to be conflicts of interest in budgetary allocation. Had consideration been given to establishing an office for children's rights? How was priority given to children's issues? How much of the country's legislation really reflected the basic principles and articles of the Convention? What specific amendments had been introduced since ratification of the Convention? Lastly, she inquired whether the country would benefit from technical assistance in the statistical field.

14. Mr. FULCI drew attention to the lack of statistical data in the report. He asked what major aspects of the Convention were not covered by existing legislation. Had non-governmental organizations been involved in the preparation of the report? Had measures been taken to heighten professional groups' awareness of the Convention? Had consideration been given to the establishment of an independent body directly accountable to Parliament, which would be in charge of monitoring observance of children's rights?

15. Mr. RABAH asked what had caused the country's negative population growth, particularly since children accounted for more than half the population. It would be useful to know what changes the Law Reform (Miscellaneous Provisions) Act had instituted on behalf of children. In addition, the Government should indicate the size of the budgetary allocation for children.

16. Mrs. SARDENBERG said that she had been pleased to learn that all children in Saint Kitts and Nevis were assured of secondary school enrolment and immunization. The country also had a high per capita income and a good rating on the human development index. She inquired how the country had been affected by Hurricane George, in September 1998, and what measures had been taken to repair any damage caused.

17. She regretted that the report was so short. Saint Kitts and Nevis had nevertheless been one of the first countries in the Caribbean region to ratify the Convention, which attested to its interest in children's issues. The report indicated that the country had ratified the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Discrimination against Women, but made no mention of the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment or the International Convention on the Elimination of All Forms of Racial Discrimination. Where did Saint Kitts and Nevis stand with regard to those four essential human rights instruments? It would also

be useful to know what steps had been taken by the Government to enact legislation for the implementation of the Convention on the Rights of the Child.

18. She asked whether the Probation and Child Welfare Board had begun its work; information on its structure, membership and funding arrangements would be welcome. Had the Government evaluated the comprehensive and integrated approach to children's rights adopted by the Ministry of Education and the Ministry of Health and Women's Affairs? Finally, it would be useful to know whether the Government had disseminated the report or intended to do so.

19. Mrs. MOKHUANE asked what percentage of the national budget was allocated to children's issues, and how those resources were distributed so as directly to benefit children. She also wished to know what domestic legislative measures, if any, had been taken to relieve the impact of the increase in divorce and single parenthood on children, children's relations with their parents, and the family environment.

20. What was the cause of the late submission of the report?

21. Mrs. TIGERSTEDT-TÄHTELÄ inquired whether Saint Kitts and Nevis received international funding from sources other than UNICEF. What were the country's funding needs?

The meeting was suspended at 10.55 a.m. and resumed at 11.05 a.m.

22. Mr. CONDOR (Saint Kitts and Nevis) said that his delegation was pleased to discover that the dialogue with the Committee was an ongoing one, designed to provide sustained assistance and support to countries endeavouring to implement the terms of the Convention. The delegation had circulated to the members of the Committee a list of the relevant national laws enacted to date. Although the Constitution prohibited discrimination, domestic legislation was clearly needed to enforce that prohibition.

23. The only significant ongoing international support received by Saint Kitts and Nevis came from UNICEF; a great deal of additional technical support was needed.

24. Hurricane George had devastated the country. It had destroyed three schools, damaged several others and destroyed the main hospital. In fact, all institutions had been gravely affected. Assistance had been received from the European Union for the reconstruction of the hospital. In all, the damage had amounted to an estimated US$ 500 million.

25. The name of his Ministry was perhaps misleading, as it comprised two branches with separate functions: Trade, Industry and CARICOM Affairs on the one hand, and Youth, Sports and Community Affairs on the other. Youth, sports and community affairs were grouped together because they involved the participation of children. He assured the Committee that children's rights received appropriate recognition and attention. On the question concerning the budgetary allocation for children, he would need to examine the budgets of various ministries, including those responsible for health, education and women's affairs.

26. The Ministry of Youth, Sports and Community Affairs considered childhood as the years from birth through age 25. As part of the ongoing efforts to raise awareness about children's issues, Child Month was celebrated yearly and each year featured a theme from the Convention. Monthly events were organized to discuss children's issues. Responsibility for monitoring the Probation and Child Welfare Board lay with the Ministry of Youth, Sports and Community Affairs, although assistance was also provided by NGOs, in particular by the Family Planning Association.

27. In pursuit of training opportunities, the Government regularly sent police officers, lawyers, probation officers and other officials to the United Kingdom on secondment, and children's rights were promoted by the inclusion of young people in decision-making bodies whenever possible.

28. Ms. LIBURD (Saint Kitts and Nevis) said that the notion of children's rights was not readily accepted in Caribbean society. The Government was attempting, through parent and teacher associations, to raise awareness of the Convention, in particular among children. The Probation and Child Welfare Board was made up of representatives of the ministries, service organizations and NGOs and was answerable to the Ministry of Youth, Sports and Community Affairs, which monitored its activities. The creation of an independent monitoring body had not been envisaged. Since the terms of the Convention were enshrined in the Constitution, compliance had not been expected to be a problem.

29. Mr. CONDOR (Saint Kitts and Nevis) said that, when the current Government had taken office in 1995, the report to the Committee had been incomplete. It had been completed and revised by the Government, and then widely disseminated, and that accounted for the delay in its submission.

30. The CHAIRPERSON invited the members of the Committee to raise questions regarding the definition of the child.

31. Mrs. KARP inquired whether Saint Kitts and Nevis had devised a national plan of action for children, and whether the Probation and Child Welfare Board was responsible for making policy decisions regarding children. The Convention took an integrated approach to the matter of children's rights, and States parties should endeavour to do the same. In Saint Kitts and Nevis, children's issues were handled by various ministries, thus making it difficult to establish priorities and long-term strategies.

32. She asked what measures had been taken to raise awareness among teachers, and whether the Convention was included in teacher-training programmes and seminars. Teachers must learn to conduct a dialogue with children, and not simply to wield authority. She also wished to know how children in Saint Kitts and Nevis reacted to learning about the Convention.

33. It was surprising that the Ministry of Youth, Sports and Community Affairs considered childhood to end at age 25. If the Convention was to be properly implemented, an effective statistical system would have to be established for the collection and assessment of data relating to persons under the age of 18.

34. Was it the doctor who decided whether a child was sufficiently mature to receive medical counselling without parental consent? It would be useful to know whether the Government had considered introducing legislation that would provide for a supervised system of such counselling, taking special account of the needs of adolescents.

35. Mrs. OUEDRAOGO, observing that the report acknowledged that children from Saint Kitts and Nevis needed to be educated and to seek employment abroad, wondered whether that trend posed the risk that the country would lose its intellectual elite. Had the Government considered setting up a programme that would encourage young people to return to the country after studying abroad?

36. More information would be welcome on the participation of NGOs in the implementation of the Convention and in the preparation of the report. How did the Government coordinate its work with NGOs? She also wished to know what proportion of the population participated in Child Month, and to what extent its participation resulted in a better understanding of the Convention.

37. In view of the high literacy rate, 16 was a rather young minimum age for marriage without parental approval, and she wondered whether a higher minimum age was observed in practice. Was there a relationship between the minimum working age, the high literacy rate, and the lack of employment for young people?

38. Mrs. SARDENBERG asked if the country report had already been disseminated in Saint Kitts and Nevis and requested information on the process of drawing up the report. The written replies showed that a review of national legislation had been completed; the measures already being taken as a result of the review should be continued. The enactment of laws that conformed to the Convention would be an important step towards its effective implementation.

39. The Probation and Child Welfare Board, composed of members from both the public and the private sector, should be encouraged to work in cooperation with other organs of Government in order to achieve the global approach to the rights of the child that was central to the Convention. She welcomed the idea of a programme of action and said that consideration of the rights of the child should be integrated into the work already being done in the areas of health and education.

40. She urged the Government to establish a central registry for statistics covering all areas of the Convention, a measure routinely recommended to States parties by the Committee. Since the delegation had referred to the Government's wish to receive technical assistance in that regard, perhaps the specialized agencies of the United Nations and the Office of the High Commissioner for Human Rights could provide such assistance. It was important to have a clear picture of the situation of children in the country in order to formulate adequate policies.

41. Mrs. KARP, noting that the Prevention of Cruelty and Protection of Juveniles Clause applied to children under 16 only, asked why it did not also give children aged 16 to 18 the protection required under the Convention.

42. Mrs. MOKHUANE, noting the provision made under the new Maintenance of Children Act for ensuring that parents paid for the upkeep of their children, asked if a monitoring system was in place to ensure that the Act was enforced. She also expressed concern that the age of criminal responsibility was eight, because an eight-year-old was not capable of understanding the ramifications of a criminal act and did not have the intelligence to understand the legal process. She therefore urged the Government to raise the age of criminal responsibility.

43. Mr. CONDOR (Saint Kitts and Nevis) said that Child Month was a major national event in which many children participated. A different theme, based on an aspect of the Convention, was selected for Child Month each year.

44. The national plan of action for children was always drawn up by the Cabinet, with input from all the ministries which dealt with children's issues. He himself was responsible for reporting both to the Cabinet and to individual ministries on his delegation's dialogue with the Committee and the Cabinet would then publicize that information via nationwide media.

45. There was some resistance among teachers to the implementation of certain articles of the Convention, but efforts were being made to increase their awareness and the Convention was now becoming an integral part of the education system.

46. One problem that had arisen concerned the different minimum ages applied to different activities: each organization and institution imposed its own minimum age. Nevertheless, efforts were being made to conform to the Convention in that regard. Children's rights were applied universally.

47. Mrs. KARP said that it was natural for different minimum ages to be applied to different issues. However, the Prevention of Cruelty and Protection of Juveniles Clause provided for protection of children under 16 only, and that conflicted with the Probation and Child Welfare Board Act, which provided for protection of children up to the age of 18.

48. Mr. CONDOR (Saint Kitts and Nevis) agreed that such discrepancies needed to be resolved.

49. The "brain drain" from Saint Kitts and Nevis had been a serious problem in the past because higher education was not a suitable preparation for work on plantations, formerly the country's dominant economic activity. Hence, many educated people had gone to live abroad. However, since the economy was now diversifying, other types of employment were becoming available and people were being encouraged to stay in the country.

50. In the past, the minimum age for employment had been 16, because that had been the usual school-leaving age. The minimum age now was either 18 or the age at which post-secondary education was completed.

51. Much work had gone into the elaboration of the report, with regular imput from all branches of Government. Unfortunately, no resources were available to create a separate Ministry of Youth, but all the ministries cooperated closely on issues affecting children.

52. Ms. LIBURD (Saint Kitts and Nevis) said that there were not many NGOs in Saint Kitts and Nevis; however, those that did exist, such as the Family Planning Association, church organizations and the National Youth Council, along with the private sector, had all contributed to the country report. Meetings with them would continue and they would also be involved in drawing up the next report.

53. Regarding the question of medical counselling without parental consent, she said that it was unusual for children in her country to visit a doctor unaccompanied by a parent, although 16- and 17-year-olds made use of family planning services. A nurse always assisted the doctor in cases where a parent was not present and, if necessary, the child was referred to a trained counsellor within the health system.

54. Mrs. KARP asked if free counselling was available for adolescents and whether it was well publicized.

55. Ms. LIBURD (Saint Kitts and Nevis) said that there were trained counsellors in the Department of Youth and Community Affairs and that there was a system of referrals by, for example, doctors, teachers and health centres.

56. Mr. CONDOR (Saint Kitts and Nevis) added that the counselling facilities were very well publicized.

57. The Government would be willing to consider raising the age of criminal responsibility which was currently eight.

58. Mrs. KARP asked what action had so far been taken by the Probation and Child Welfare Board.

59. Ms. LIBURD (Saint Kitts and Nevis) said that the Board had been functioning since 1994 and had assumed responsibility for establishing rules and regulations in respect of children in custodial care. It had also set up a children's home which took in not only orphans but also neglected or abused children. It had established rules and regulations for foster care and the monitoring of foster parents and children. In addition, the Board supervised day-care centres and a rehabilitation centre for boys. It dealt with all aspects of the rights of the child and was also responsible for training staff.

60. The CHAIRPERSON suggested moving on to questions regarding general principles and civil rights and freedoms.

61. Mrs. SARDENBERG noted from the written replies that children in Nevis did not always enjoy the same opportunities as children in Saint Kitts, even though the children of both islands had equal rights under the Constitution. How was that problem being addressed by the Government? Regarding article 2 of the Convention, although the Constitution provided for protection against discrimination, the report did not address that issue from a practical point of view. For example, was there discrimination against girls within the family, schools or the job market?

62. The Committee attached particular importance to the child's right to express his or her views, as set forth in article 12 of the Convention, although it had been difficult to involve Governments and parents in implementing that right. Could more information be provided on the programme being established in Saint Kitts and Nevis to deal with that issue? How would the early results of the programme be evaluated?

63. Mrs. MOKHUANE, noting that a task force had been set up to draft a policy for children with disabilities, asked what the policy would entail and what legal provision would be made for disabled children's everyday practical needs and for safeguarding their interests in general. In the context of article 12, would disabled children have any input into policy-making?

64. Mrs. KARP said that article 12 of the Convention had proved decisive in changing attitudes to children by adding the principle of participation to the principles of protection and welfare on which the treatment of children had previously been based. The report did not indicate whether any legislation existed in specific fields, such as adoption, to guide judges and other professionals in care institutions and the juvenile justice system and to provide for the child's views to be taken into account before any decision affecting him or her was made. Did the Government plan to introduce any such legislation?

65. Did a complaints procedure exist whereby children's complaints could be heard by an independent body? Were children aware that they had the right to complain and were they given effective redress?

66. She welcomed the idea of having child parliamentarians and asked if it was being implemented. What structures existed in schools to involve children in social life?

67. No examples were given in the report of how the courts had interpreted the best interests of the child, especially in divorce cases where the parents could not necessarily be relied upon to act in the child's best interests.

68. Regarding the issue of civil rights, the report gave no indication of whether corporal punishment was permitted in schools or in the juvenile justice system; she assumed that it was used within the family. She emphasized the Committee's view that corporal punishment was not compatible with the provisions of the Convention. Therefore, not only should it be prohibited in schools and in the juvenile justice system, but States parties should undertake to teach parents that such punishment was counter-productive and help them to find alternative methods of discipline. Were there any plans to address that issue, for example by organizing publicity campaigns or by introducing legislation to prohibit corporal punishment?

69. Mr. RABAH asked whether there was any discrimination against minorities in Saint Kitts and Nevis. He also inquired about the criteria for acquiring citizenship and the impact on a child of a parent's loss of citizenship. How were children protected from harmful information pertaining to violence and pornography, especially on the Internet?

70. Mrs. OUEDRAOGO noted from the report that all persons had the right to seek redress for rights violations. She asked what structure was in place for children to exercise that right and how accessible it was to them. She also wished to know what measures were being taken to protect children's privacy at home and at school with regard to their correspondence and telephone calls. In a society where it was widely believed that children should be seen but not heard, she wondered whether there had been any progress towards ensuring that they could voice their opinions.

71. Concerning the right to life and survival, and given the high rate of teenage pregnancy, was there a programme to prevent girls from seeking abortions? Lastly, how did Saint Kitts and Nevis protect children from access to harmful media, especially in view of technological advances such as the Internet, which was notorious for its portrayal of violence and pornography?

72. Mr. CONDOR (Saint Kitts and Nevis) thanked the Committee members for raising many pertinent issues, which he was sure would be of assistance to his country in carrying forward the process of child protection. He would be less than honest if he claimed that corporal punishment did not exist or that it would soon disappear. However, such was the level of Government concern that the issue was now being addressed by a recently established task force headed by the Attorney-General, with NGO participation. Admittedly most of the population wished to see such punishment maintained, but he hoped that a more enlightened view would soon prevail.

73. A delicate balance had to be struck between children's right to privacy, in respect of correspondence and telephone calls for instance, and the need for parental control to protect them from harmful information. That balance called for a frank and open dialogue.

74. While there was no legal structure for the exercise of children's right to redress, many new avenues were opening up within the community. Children sat on school boards; there was a children's home board and a board of the Harris Home for Boys on which NGOs were represented. There was no family court, but in proceedings before the Juvenile Court children were heard in camera, counselled by officials of the Department of Community Affairs and represented by probation officers. Children were encouraged to come forward and they showed no fear in voicing their complaints.

75. On the subject of children being heard, much criticism was being levelled at his Ministry by those who claimed that excessive democratization and participation of children in running institutions and society were eroding morals and values.

76. Concerning the differences between the two islands, he explained that Saint Kitts and Nevis, unlike the other four twin-island countries in the Caribbean, was unique in that it was a federal, rather than a unitary, State in which Nevis had its own Government and enjoyed a certain amount of autonomy. However, both islands were governed by the same Constitution and there was no discrimination. Inhabitants of the smaller sister island of Nevis might claim that they were discriminated against in terms of resources, but government policies on health care, education and youth applied to them on an equal footing.

77. Ms. LIBURD (Saint Kitts and Nevis) added that a Cabinet decision giving teenage mothers the right to return to school was not being applied by the Nevis authorities. However, efforts were being made to secure their compliance.

78. Mr. CONDOR (Saint Kitts and Nevis) said that another case in point was the law on gambling. Saint Kitts and Nevis had a lottery in which all persons were entitled to participate, but which the Nevis authorities refused to operate. In reply to Mr. Rabah's question, he said that, if anything, the minority discriminated against the majority. Discrimination against minorities had never been a part of the country's culture.

79. In response to Mrs. Mokhuane's question, he said that a council for the disabled had been in existence for 15 years. There was a school for the deaf, a school for the disabled and a special school for the mentally handicapped. A new special school for the disabled was being custom-built to their own specifications and equipped with all the necessary facilities. Disabled children also competed internationally in the Special Olympics, which had produced some of the country's finest athletes.

80. Ms. LIBURD (Saint Kitts and Nevis), replying to a question from the Chairperson, said that there was room for improvement in the matter of the social integration of persons with minor physical disabilities. A committee had been established to deal with that issue. Replying to Mrs. Karp, she said that the courts did operate in the best interests of the child. Abandoned children were usually taken in hand by the Probation and Child Welfare Board. On the basis of an inquiry report, the courts determined whether such children could safely be returned to their parents; if the parents were deemed unfit, they were placed in foster care or a children's home or offered for adoption.

81. In reply to Mr. Rabah's question concerning citizenship, she said that the system of dual citizenship precluded loss of nationality. Citizenship was acquired by birth through the mother or father and by marriage.

82. The CHAIRPERSON reiterated Mrs. Ouedraogo's question concerning abortion and asked whether any social stigma attached to an unmarried girl who became pregnant.

83. Ms LIBURD (Saint Kitts and Nevis) replied that abortion was illegal. As in most of the Caribbean countries, there was a long tradition of reliance on the extended family. If a teenage mother was unable to care for her child, another family member - usually the girl's mother - took over that responsibility and could receive assistance through the welfare system. The girl could return to school or, as many chose to do, attend an evening institute. Any stigma attaching to unmarried mothers had long disappeared from Saint Kitts and Nevis society.

84. Mrs. KARP thought that failure to terminate a teenage pregnancy might damage a young mother's development. She wondered whether abortion should not be made legal in such cases.

85. The CHAIRPERSON asked what procedures existed to prevent a young girl who had been raped from giving birth, and to avoid jeopardizing both her mental and physical health.

86. Ms. LIBURD (Saint Kitts and Nevis) said that mental health criteria were not part of the equation. A pregnancy could be terminated only on strictly medical grounds.

87. The CHAIRPERSON invited members to ask questions concerning family environment and alternative care.

88. Mr. FULCI, citing the country's Adoption Act which provided for adoption approved by the High Court, wondered whether children themselves had any say in the matter. He inquired about the annual adoption figures and asked whether the authorities envisaged ratifying the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption. Were boys more often abandoned than girls and less frequently chosen for adoption, as was the case in other Caribbean islands?

89. Mr. DOEK pointed out that, although all children physically had a father and mother, that was not the case legally. The high rate of births out of wedlock placed many children in an extremely vulnerable position, not least in financial terms. Marriage usually resulted in a woman's husband being regarded as the father of her child. Did cohabitation impose paternal obligations in Saint Kitts and Nevis? What if the man denied paternity? A child born out of wedlock had as much right to know the identity of his or her father as the child of a married couple. What was the state of the legislation on that issue and what steps were being taken to ensure that delinquent fathers were pursued?

90. Ms. KARP asked what concrete measures the country was taking to ensure children's participation. It might consider using the next Child Day to focus attention on that issue. She was aware that corporal publishment was a deeply entrenched tradition. It was not country-specific and could be found throughout the world. She applauded the establishment of a task force to address that difficult problem, but suggested that the authorities might seek assistance from a number of European countries which had succeeded in eradicating corporal punishment and could provide valuable advice.

91. She asked what complaints mechanism existed for children in care or juvenile justice institutions, who were dependent on their carers and could hardly voice complaints in their presence. Did the regulations provide for external visitors, similar to school inspectors, to whom children could complain in private?

92. While she understood that discrimination was prohibited by law, she suggested that de facto discrimination against Nevis might result from differences in resource allocation and budget implementation. That in turn could affect the quality of the services on offer. She asked whether, as a general rule, children's opinions had to be sought in advance on any decision concerning them.

93. Turning to family environment, she said that she had learned some interesting facts about the country, one being the popularity of the "visiting union" relationship between men and women. By what rules was such a union governed? She feared that the children of the union would suffer psychologically from the lack of a male role model and the other drawbacks of that type of relationship.

94. Mrs. MOKHUANE asked whether there was any process whereby young mothers could seek redress with regard to paternity issues. What legal steps were being taken to oblige the large number of delinquent fathers to fulfil their responsibilities?

95. She reiterated the request contained in the list of issues that the Government report on the steps it was taking to address children's problems arising from common-law unions and single parenthood. Lastly, on the subject of alternative care, she wished to know how often institutions and foster parents were evaluated.

The meeting rose at 1 p.m.